

**NOTICE OF RULEMAKING DOCKET OPENING**  
**TITLE 12. NATURAL RESOURCES**  
**CHAPTER 4. GAME AND FISH COMMISSION**

- 1. Title and its heading:** 12, Natural Resources  
**Chapter and its heading:** 4, Game and Fish Commission  
**Article and its heading:** 2. Miscellaneous Licenses and Permits  
**Section numbers:** R12-4-205 (As part of this rulemaking, the Department may add, delete, or modify additional Sections as necessary)

**2. The subject matter of the proposed rule:**

Laws 2009, Third Special Session, Chapter 7, Section 28(B)(3) allows an agency to pursue rulemaking for an authorization enacted by the legislature after January 1, 2009. On August 19, the Governor's office approved the Department's request to pursue rulemaking to implement Laws 2010, Second Regular Session, Chapter 216. Laws 2010 amended A.R.S. § 17-336, authorizing the Commission to offer, for a reduced fee, a Youth Class F License to eligible Arizona residents. A.R.S. § 17-336(B) establishes that an eligible applicant is a member of the Boy or Girl Scouts of the United States of America who has either attained the rank of Eagle Scout or received the Gold Award. The Department proposes to promulgate a new rule, R12-4-205, to establish the reduced-fee application and documentation requirements for the reduced-fee Youth Class F License Combination Hunting and Fishing License.

**The agency docket number, if applicable:**

Not applicable

**3. A citation to all published notices relating to the proceeding:**

Notice of Proposed Rulemaking: 16 A.A.R. ####, Month day, year (*in this issue*)

**4. The name and address of agency personnel with whom persons may communicate regarding the rule:**

Name: Celeste Cook, Rule Writer  
Address: Arizona Game and Fish Department  
5000 W. Carefree Highway  
Phoenix, AZ 85086  
Telephone: (623) 236-7390  
Fax: (623) 236-7677  
E-mail: ccook@azgfd.gov

**5. The time during which the agency will accept written comments and the time and place where oral comments may be made:**

To be determined.

**6. A timetable for agency decisions or other action on the proceeding, if known:**

To be determined.

**NOTICE OF PROPOSED RULEMAKING**  
**TITLE 12. NATURAL RESOURCES**  
**CHAPTER 4. GAME AND FISH COMMISSION**

**PREAMBLE**

- |                                    |                                 |
|------------------------------------|---------------------------------|
| <b><u>1. Sections Affected</u></b> | <b><u>Rulemaking Action</u></b> |
| R12-4-205                          | New section                     |
- 2. The statutory authority for the rulemaking, including both the authorizing statute (general) and the statutes the rules are implementing (specific):**  
Authorizing statute: A.R.S. §§ 17-231(A)(1) and 17-231(A)(8)  
Implementing statute: A.R.S. §§ 17-333 and 17-336(B)
- 3. A list of all previous notices appearing in the Register addressing the proposed rule:**  
Notice of Docket Opening: 16 A.A.R. ####, Month day, year (*in this issue*)
- 4. The name and address of agency personnel with whom persons may communicate regarding the rulemaking:**  
Name: Celeste Cook, Rule Writer  
Address: Arizona Game and Fish Department  
5000 W. Carefree Highway  
Phoenix, AZ 85086  
Telephone: (623) 236-7390  
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E-mail: ccook@azgfd.gov  
Please visit the AZGFD web site to track progress of this rule and any other agency rulemaking matters at [http://www.azgfd.gov/inside\\_azgfd/rules/rulemaking\\_updates.shtml](http://www.azgfd.gov/inside_azgfd/rules/rulemaking_updates.shtml).
- 5. An explanation of the rule, including the agency's reasons for initiating the rule:**  
Laws 2009, Third Special Session, Chapter 7, Section 28(B)(3) allows an agency to pursue rulemaking for an authorization enacted by the legislature after January 1, 2009.  
On August 19, the Governor's office approved the Department's request to pursue rulemaking to implement Laws 2010, Second Regular Session, Chapter 216.  
Laws 2010 amended A.R.S. § 17-336 to authorize the Commission to offer, for a reduced-fee, a Youth Class F License to eligible Arizona residents. A.R.S. § 17-336(B) further states that an eligible applicant is a member of the Boy or Girl Scouts of the United States of America who has either attained the rank of Eagle Scout or received the Gold Award.  
The Department proposes to promulgate a new rule, R12-4-205, to establish the application and documentation requirements for the Honorary Scout Youth Class F License Combination Hunting and Fishing License.
- 6. A reference to any study that the agency proposes to rely on in its evaluation of or justification for the**

**rule and where the public may obtain or review the study, all data underlying each study, any analysis of the study, and other supporting material:**

Not applicable

**7. A showing of good cause why the rule is necessary to promote a statewide interest if the rule will diminish a previous grant of authority of a political subdivision of this state:**

Not applicable

**8. The preliminary summary of the economic, small business, and consumer impact:**

The Commission believes that individuals who are eligible for an Honorary Scout Class F Youth License will benefit from a rulemaking that establishes the requirements for the license. The current license fee is \$26.50 and the Department proposes offering the honorary scout license for a reduced fee of \$5. Eligible applicants will benefit from a cost savings of \$21.50 for each year in which the applicant is eligible, and applies, for a reduced fee Class F Youth license.

The Commission believes that small businesses may benefit from a slight increase in the sale of sporting goods.

**9. The name and address of agency personnel with whom persons may communicate regarding the accuracy of the economic, small business, and consumer impact statement:**

See item #4.

**10. The time, place, and nature of the proceedings for the making, amendment, or repeal of the rule, or if no proceeding is scheduled, where, when, and how persons may request an oral proceeding on the proposed rulemaking:**

Date: April 15, 2011

Time: 8:00 a.m.

Location: 5000 W. Carefree Highway

Phoenix, AZ 85086

Nature: Oral Proceeding

Close of record: April 15, 2011

**11. Any other matters prescribed by statute that are applicable to the specific agency or to any specific rule or class of rules:**

Not applicable

**12. Incorporations by reference and their location in the rules:**

Not applicable

**13. The full text of the rules follows:**

**TITLE 12. NATURAL RESOURCES**  
**CHAPTER 4. GAME AND FISH COMMISSION**  
**ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS**

Section

**R12-4-205. Honorary Scout; Reduced Fee Youth Class F License**

## ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS

### **R12-4-205. Honorary Scout; Reduced Fee Youth Class F License**

- A.** An Honorary Scout Class F Youth License is offered to a resident who is:
1. Eligible for a Class F Youth License, and
  2. A member of the Boy Scouts of the United States of America and has attained the rank of Eagle Scout, or
  3. A member of the Girl Scouts of the United States of America and has attained the Gold Award.
- B.** The Honorary Scout Class F Youth License grants all of the hunting and fishing privileges of the Class F combination hunting and fishing license and is only available at Department offices.
- C.** The fee for the Honorary Scout Class F Youth License is \$5.
- D.** An applicant for an Honorary Scout Class F Youth License shall apply on an application form available from any Department office and on the Department's website at [www.azgfd.gov](http://www.azgfd.gov). The applicant shall provide all of the following information on the application form:
1. The applicant's name, date of birth, Department identification number, and physical description;
  2. Current residence address or physical location of residence;
  3. Current mailing address; and
  4. The applicant's signature either witnessed by a Department employee or acknowledged by a notary public.
- E.** In addition to the application, an eligible applicant shall present with the application form:
1. For an applicant who is a member of the Boy Scouts of the United States of America, any one of the following original documents:
    - a. A certification letter from the Boy Scouts of the United States of America stating that the applicant has attained the rank of Eagle Scout,
    - b. A Boy Scouts of the United States of America Eagle Scout Award Certificate, or
    - c. A Boy Scouts of the United States of America Eagle Scout wallet card.
  2. For an applicant who is a member of the Girl Scouts of the United States of America, any one of the following original documents:
    - a. A certification letter from the Girl Scouts of the United States of America stating that the applicant has completed the award,
    - b. A Girl Scouts of the United States of America Gold Award Certificate, or
    - c. A Girl Scouts Gold Award Certificate from the local council.
- F.** The Department shall deny an Honorary Scout Class F Youth License to an applicant who is not eligible for the license, fails to comply with the requirements of this Section, or provides false information during the application process.

**TITLE 12. NATURAL RESOURCES**  
**CHAPTER 4. GAME AND FISH COMMISSION**  
**ARTICLE 2. MISCELLANEOUS LICENSES AND PERMITS**

**R12-4-205**

**Economic, Small Business and Consumer Impact Statement**

**A. Economic, small business and consumer impact summary:**

**1. Identification of the proposed rule making.**

Laws 2009, Third Special Session, Chapter 7, Section 28(B)(3) allows an agency to pursue rulemaking for an authorization enacted by the legislature after January 1, 2009.

On August 19, the Governor's office approved the Commission's request to pursue rulemaking to implement Laws 2010, Second Regular Session, Chapter 216.

The Department may issue a Youth Class F License to applicants who are age 14 to 20 years. The fee for the Youth Class F License is \$26.50.

Laws 2010 amended A.R.S. § 17-336 to authorize the Commission to offer, for a reduced-fee, a Youth Class F License to eligible Arizona residents. A.R.S. § 17-336(B) further states that an eligible applicant is a member of the Boy or Girl Scouts of the United States of America who has either attained the rank of Eagle Scout or received the Gold Award.

The Commission proposes to promulgate a new rule, R12-4-205, to establish the application and documentation requirements for the Honorary Scout Youth Class F License Combination Hunting and Fishing License.

**(a) The conduct and its frequency of occurrence that the rule is designed to change.**

Providing a low cost license option for Boy and Girl Scouts as an encouragement to youth to reach the highest recognition in their respective Scouting programs reinforces the aims of the State and of the Commission, building citizenship, and character in our youth.

Scouting (Boy and Girl Scouting) is predisposed to outdoor activity and appreciation for wildlife, wildlife habitat, and sporting activities associated with wildlife. Encouraging these youth that are predisposed through their Scouting programs to appreciate wildlife and the outdoors with a low cost license option is aimed at developing them as long term, loyal customers.

The Class F license, already a lower cost option for all Youth, is specifically intended to recruit and retain young anglers and hunters and encourage family participation in

hunting, fishing, and wildlife appreciation. By design, it is part of the Commission's recruitment and retention strategy.

**(b) The harm resulting from the conduct the rule is designed to change and the likelihood it will continue to occur if the rule is not changed.**

An online survey conducted by The Outdoor Foundation indicated that over the last several years, youth outdoor participation has declined significantly in every age group, gender, and ethnicity.

The Commission believes that youth initiation to hunting, fishing, and wildlife watching is an inexpensive activity that can be shared with family members or trusted adult mentors and can set the platform for loyal life-long participants (e.g., license buyers). Providing an avenue for connecting Eagle Scout and Gold Award Recipients with an Honorary Scout Youth Class F license as one incentive / reward for citizenship and leadership development recognizes the connection between future generations and conservation mindedness.

**(c) The estimated change in frequency of the targeted conduct expected from the rule change.**

Providing a low cost license option for Boy and Girl Scouts as an encouragement to youth to reach the highest recognition in their respective Scouting programs reinforces the aims of the State and of the Commission, building citizenship, and character in our youth. Scouting (Boy and Girl Scouting) is predisposed to outdoor activity and appreciation for wildlife, wildlife habitat, and sporting activities associated with wildlife. Encouraging these youth that are predisposed through their Scouting programs to appreciate wildlife and the out-of-doors with a low cost license option is aimed at developing them as long term, loyal customers. The Class F license, already a lower cost option for all Youth is specifically intended to recruit and retain young anglers and hunters and encourage family participation in hunting, fishing, and wildlife appreciation. By design, it is part of the Commission's recruitment and retention strategy.

**2. Brief summary of the information included in the economic, small business and consumer impact statement.**

The Department issues Youth Class F Licenses to applicants who are 14 to 20 years of age. The fee for the Youth Class F License is \$26.50. Applicants ages 14 to 20 years of age purchased 23,054 individual Youth Class F licenses during calendar year 2009 and 21,363 during calendar year 2010. Information provided by the Boy Scouts of the United States of America indicates that, in Arizona, approximately 1,800 boy scouts attain the rank of Eagle Scout each year. Information provided by the Girl Scouts of the United States of America indicates that, in Arizona, fewer than 100 Girl Scouts receive the Gold Award each year. At the age of 21, an Eagle Scout or Gold recipient is no longer eligible for the Honorary Scout Youth Class F license, and from that point forward would be required to purchase an adult class license. As a result of the rulemaking, the Commission anticipates a 10% increase in Youth Class F license sales.

Federal aid in Sportfish and Wildlife restoration results in annual apportionments to the State of Arizona of federal excise taxes collected on hunting and fishing equipment and motorboat fuels. These apportionments are based in part upon an annual certification of paying license holders. Arizona licenses approximately 130,000 hunters annually and 300,000 anglers annually. The 2009 apportionments for Arizona were \$8,348,971 for Sport Fish Restoration (40% attributable to paying license holders) and \$8,353,890 for Wildlife Restoration (50% attributable to paying license holders). That translates to approximately \$32 for each paying hunting license holder and \$11 for each paying fishing license holder in additional revenue over and above the payment for the license. That amount would grow annually for 4 years as additional Scouts acquire the low cost license. Revenue foregone would level off at \$191,520 annually.

**3. The name and address of agency employees who may be contacted to submit or request additional data on the information included in the economic, small business and consumer impact statement.**

Name: Celeste Cook, Rule Writer  
Address: Arizona Game and Fish Department  
5000 W. Carefree Highway  
Phoenix, AZ 85086  
Telephone: (623) 236-7390  
Fax: (623) 236-7677  
E-mail: ccook@azgfd.gov



**B. The economic, small business and consumer impact statement:**

**1. Identification of the proposed rule making.**

See paragraph (A)(1) above.

**2. Identification of the persons who will be directly affected by, bear the costs of or directly benefit from the proposed rule making.**

The Commission anticipates Boy Scouts who have attained the rank of Eagle Scout will benefit from the rulemaking.

The Commission anticipates Girl Scouts who have received the Gold Award will benefit from the rulemaking.

The Commission anticipates retailers who sell sporting goods will benefit from an increase in sales due to the Honorary Scout Youth Class F Combination Hunting and Fishing License.

The Commission anticipates offering this benefit to Eagle and Gold Award recipients would result in some license revenue foregone. There are approximately 1,800 new Eagle Scouts and fewer than 100 new Gold Award recipients in Arizona each year. If all of those awardees applied for and purchased this special privilege, the maximum case scenario, the Commission would forego approximately \$191,500 per year in license revenue. The likely scenario is that only 10% of Eagle or Gold Scouts would pursue this privilege, and a more realistic expectation is approximately \$19,150 in license revenue foregone annually. However, the Honorary Scout Youth Class F Combination Hunting and Fishing License is specifically intended to recruit and retain young anglers and hunters and encourage family participation in hunting, fishing, and wildlife appreciation. By design, it is part of the Commission's recruitment and retention strategy. The ability to purchase an Honorary Scout Youth Class F license may also encourage families who do not typically hunt or fish to participate in hunting, fishing, and wildlife appreciation.

**3. Cost benefit analysis:**

- (a) Probable costs and benefits to the implementing agency and other agencies directly affected by the implementation and enforcement of the proposed rule making. The probable costs to the implementing agency shall include the number of new full-time employees necessary to implement and enforce the proposed rule. The preparer of the Economic, Small Business, and Consumer Impact Statement shall notify the Joint Legislative Budget Committee of the number of new full-time employees necessary to implement and enforce the rule before the rule is approved by council.**

The Department issues Youth Class F Licenses to applicants who are 14 to 20 years of age. The fee for the Youth Class F License is \$26.50. The reduced-fee for the Honorary Scout Youth Class F License is \$5. Applicants ages 14 to 20 years of age purchased 23,054 individual Youth Class F licenses during calendar year 2009 and 21,363 during calendar year 2010. Information provided by the Boy Scouts of the United States of America indicates that, in Arizona, approximately 1,800 boy scouts attain the rank of Eagle Scout each year. Information provided by the Girl Scouts of the United States of America indicates that, in Arizona, fewer than 100 Girl Scouts receive the Gold Award each year. As a result of the rulemaking, the Department anticipates a 10% increase in Youth Class F license sales. At the age of 21, an Eagle Scout or Gold recipient is no longer eligible for the Honorary Scout Youth Class F license, and from that point forward would be required to purchase an adult class license.

Federal aid in Sportfish and Wildlife restoration results in annual apportionments to the State of Arizona of federal excise taxes collected on hunting and fishing equipment and motorboat fuels. These apportionments are based in part upon an annual certification of paying license holders. Arizona licenses approximately 130,000 hunters annually and 300,000 anglers annually. The 2009 apportionments for Arizona were \$8,348,971 for Sport Fish Restoration (40% attributable to paying license holders) and \$8,353,890 for Wildlife Restoration (50% attributable to paying license holders). That translates to approximately \$32 for each paying hunting license holder and \$11 for each paying fishing license holder in additional revenue over and above the payment for the license. That amount would grow annually for 4 years as additional Scouts acquire the low cost license. Revenue foregone would level off at \$191,520 annually.

Offering this benefit to Eagle and Gold Award recipients would result in some license revenue foregone. There are approximately 1,800 new Eagle Scouts and fewer than 100 new Gold Award recipients in Arizona each year. If all of those awardees applied for and purchased this special privilege, the maximum case scenario, the Commission would forego approximately \$191,500 per year in license revenue. The likely scenario is that only 10% of Eagle or Gold Scouts would pursue this privilege, and a more realistic expectation is approximately \$19,150 in license revenue foregone annually. If this program encourages additional license buying by Eagle and Gold recipients, even at the reduced fee, the revenue foregone may be offset by increases in the apportionment of federal grant monies to Arizona. Sportfish and Wildlife Restoration grants are based, in part, on the number of paying license holders. If this program adds

license holders to our roles, apportionments could increase by up to \$45 per new unique licensee. An optimistic, but reasonable, estimate of additional revenue through these grants could be \$113,000 annually.

Gaining additional eagle scouts in the Commission's license certification, who might not otherwise purchase a license, could increase the number of 'paying' hunting and fishing license holders for AZ, potentially increasing the apportionment of Sportfish and Wildlife Restoration by up to \$113,000, helping to offset license revenue foregone. At minimal cost, in the form of a portion of license revenue foregone annually (\$19,000 to a worst-case scenario of \$191,000), the Commission implements a significant customer recruitment and retention investment in future adult license buyers. Certainly not every scout might be a lifetime license buyer, or even a loyal hunter/fisher. If only 10% of Eagle Scouts became loyal license buyers (not an unreasonable estimate in that 6% of Arizonans are loyal hunters and 12% of Arizonans are loyal anglers), then the Annual license revenue foregone would represent \$4,788 in the first year, climbing to approximately \$19,152 and leveling off there after four years of implementation.

Since the Department already has a mechanism in place for the issuance of Youth Class F Combination Hunting and Fishing Licenses, the Commission has determined that the rulemaking will not require any additional full-time employees to implement and enforce the proposed rule.

**(b) Probable costs and benefits to a political subdivision of this state directly affected by the implementation and enforcement of the proposed rule making.**

The Commission does not anticipate the proposed rulemaking will significantly affect political subdivisions of this state.

**(c) Probable costs and benefits to businesses directly affected by the proposed rule making, including any anticipated effect on the revenues or payroll expenditures of employers who are subject to the proposed rule making.**

The Commission does not anticipate the proposed rulemaking will affect businesses, their revenues, or their payroll expenditures.

**4. General description of the probable impact on private and public employment in businesses, agencies and political subdivisions of this state directly affected by the proposed rule making.**

The Commission does not anticipate the proposed rulemaking will affect public or private employment in this state.

**5. Statement of the probable impact of the proposed rule making on small businesses:**

**(a) Identification of the small businesses subject to the proposed rule making.**

Businesses that provide sporting goods.

**(b) Administrative and other costs required for compliance with the proposed rule making.**

The Commission anticipates the proposed rulemaking will not create additional costs for compliance.

**(c) Description of the methods that the agency may use to reduce the impact on small businesses.**

The Commission anticipates any additional requirements for compliance resulting from the proposed rulemaking will have little or no impact on small businesses.

**(d) Probable cost and benefit to private persons and consumers who are directly affected by the proposed rule making.**

The Department issues a Youth Class F Licenses to applicants who are 14 to 20 years of age; the fee for the Youth Class F License is \$26.50. The reduced-fee for the Honorary Scout Youth Class F License is \$5. Eagle Scouts and Gold Award recipients will save \$21.50 each eligible year, with a maximum savings of \$86.

**6. Statement of the probable effect on state revenues.**

If only 10% of Eagle Scouts became loyal license buyers, then the Annual license revenue foregone would represent \$4,788 in the first year, climbing to approximately \$19,152 and leveling off there after four years of implementation. If this program encourages additional license buying by Eagle and Gold recipients, even at the reduced fee, the revenue foregone may be offset by increases in the apportionment of federal grant monies to Arizona. Sportfish and Wildlife Restoration grants are based, in part, on the number of paying license holders. If this program adds license holders to our rolls, apportionments could increase by up to \$45 per new unique licensee. An optimistic, but reasonable, estimate of additional revenue through these grants could be \$113,000 annually.

Gaining additional eagle scouts in the Department's license certification, who might not otherwise purchase a license, could increase the number of 'paying' hunting and fishing license holders for AZ, potentially increasing the apportionment of Sportfish and Wildlife Restoration by up to \$113,000, helping to offset license revenue foregone.

- 7. Description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed rule making including the monetizing of the costs and benefits for each option and providing rationale for not using the nonselected alternatives.**

The Commission has determined that there are no alternative methods of achieving the objectives of the proposed rulemaking. The Commission holds that the benefits of the proposed rulemaking outweigh any costs.

- C. If for any reason adequate data are not reasonably available to comply with the requirements of subsection B of this section, the agency shall explain the limitations of the data and the methods that were employed in the attempt to obtain the data and shall characterize the probable impacts in qualitative terms. The absence of adequate data, if explained in accordance with this subsection, shall not be grounds for a legal challenge to the sufficiency of the economic, small business and consumer impact statement.**

The Commission believes the data utilized in completing this economic, small business, and consumer statement is more than adequate.